

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA)	
)	
)	
Plaintiff,)	
)	Civ. A. No. 1:21-cv-00264(WAL/EAH)
v.)	
)	
LIMETREE BAY TERMINALS, LLC, WEST)	
INDIES PETROLEUM LIMITED, PORT)	
HAMILTON REFINING AND)	
TRANSPORTATION, LLLP, and the)	
TRANSITION REFINERY ENTITY, INC.)	
)	
Defendants.)	

**UNITED STATES' MOTION TO DIRECT DEFENDANTS TO ABIDE BY THE
JOINT STIPULATION IN ACCORDANCE WITH THE BANKRUPTCY SALE ORDER**

The Joint Stipulation in this case was established to protect the downwind community from the threats posed by the Refinery and its operations. Recognizing this, the Bankruptcy Court's Sale Order directed that the Refinery's Purchasers—and now-Defendants—West Indies and Port Hamilton “must” become parties to the Joint Stipulation. The Defendants have conceded as much. However, despite persistent efforts by the United States to engage them in the 18 months since the Sale Order was issued, Defendants West Indies and Port Hamilton have yet to perform as required by the Bankruptcy Court's Order.

WHEREFORE, for the reasons set out in more detail in the Memorandum In Support, the United States respectfully requests that this Court grant the attached proposed order directing Defendants to abide by the Joint Stipulation in accordance with the Bankruptcy Sale Order.

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA

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Assistant Attorney General
Environment and Natural Resources Division

s/ Myles E. Flint, II
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CERTIFICATE OF SERVICE

The Undersigned certifies to the following:

1. Filing using the CM/ECF System:

That on August 10, 2023, he filed the *UNITED STATES' MOTION TO DIRECT DEFENDANTS TO ABIDE BY THE JOINT STIPULATION IN ACCORDANCE WITH THE BANKRUPTCY SALE ORDER* electronically with the Clerk of Court using the CM/ECF system, which will send notifications of this filing to all who have made appearances.

2. Service on the Transition Refinery Entity, LLC:

That on August 10, 2023, the foregoing *UNITED STATES' MOTION TO DIRECT DEFENDANTS TO ABIDE BY THE JOINT STIPULATION IN ACCORDANCE WITH THE BANKRUPTCY SALE ORDER* was served on the following counsel for the Transition Refinery Entity, LLC by electronic mail:

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